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March 22, 2024

VIA ECF

United States District Court
Eastern District of New York
Attn: Hon. Pamela K. Chen, U.S.D.J.
225 Cadman Plaza East
Courtroom 4F North
Brooklyn, NY 11201-1804

Re: IME WatchDog, Inc. v. Gelardi, *et al.*
Case No.: 1:22-cv-1032 (PKC) (JRC)
MLLG File No.: 25-2022

Dear Judge Chen:

This firm, along with Sage Segal LLC, represents the Plaintiff IME WatchDog, Inc. (“Plaintiff”) in the above-referenced case. Plaintiff inadvertently excluded relevant deposition testimony from its filing on March 20, 2024 (ECF Doc. No. [303](#)) and respectfully submits it herewith.

Defendant Safa Gelardi (“Safa”) testified repeatedly at her deposition on February 2, 2023 that she hired a private investigator to place a tracking device on Carlos Roa’s car to find out if he was behind the smear campaign about IME Companions:

Q. What did you say to the individual and what did the individual say to you?

A: I explained that I wanted - - I explained what I wanted from them, that I wanted to find out whether Carlos Roa was behind this smear campaign that - - about IME Companions and myself.

See ECF Doc. No. [154-4](#) at 30:21-31:2 (emphasis added).

Q. What happened during the first conversation after you signed the contract? What did you say to him and what did he say to you?

A: I explained to him that I wanted to find out if Carlos Roa was behind the smear campaign that was going on about IME Companions and myself, and he said sure.

See ECF Doc. No. [154-4](#) at 31:15-21 (emphasis added).

Q: What do you recall about the first conversation you had with any individual from Silver Shield about the terms of that contract and its goal?

A: I explained what I wanted. They explained that they can definitely do it and he said someone was going to call you. So the second time I spoke to someone, it was a male.

Q. What did he say to you and what did you say to him?

A: I said to him I need to find out if this guy is behind the smear campaign that's going on about me and my company.

See ECF Doc. No. [154-4](#) at 33:8-14 (emphasis added).

Because Safa hired the private investigator on behalf of IME Companions to investigate a purported smear campaign concerning IME Companions, which corporation Vito Gelardi ("Vito") established and owns, along with Safa, the Court correctly held Vito in contempt, along with Safa, as there exists sufficient evidence in the record to find that Safa acted as Vito's agent in carrying out the conduct which gave rise to this Court's finding of contempt.

Respectfully submitted,

MILMAN LABUDA LAW GROUP PLLC

/s/ Jamie S. Felsen, Esq.

SAGE LEGAL LLC

/s/ Emanuel Kataev, Esq.

cc: All Counsel of Record (via ECF)